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v. Smith (1903) 191 U. S. 310, 24 Sup. Ct. 88; *People v. Sacramento Drainage Dist.* (1909) 155 Cal. 373, 103 Pac. 207. And if the tax can be collected only by law suit, no other hearing need be given. See *Vanceburg etc. Co. v. Maysville etc. Ry.* (Ky. 1901) 63 S. W. 749. Nor is a right of appeal from the decision of a trial court essential. *People v. Cohen* (1905) 219 Ill. 200, 76 N. E. 388. Moreover, where adequate provision is made for a hearing by ordinances authorized by general law, a statute is not invalid though it does not specifically provide for such hearing. *Ford v. Town of North Des Moines* (1890) 80 Iowa 626, 636, 45 N. W. 1031; see *Tripp v. City of Yankton* (1898) 10 S. D. 516, 74 N. W. 447. But in the instant case, since the statute guaranteed no hearing whatsoever to the taxpayer if the arbitrators disagreed, it was unconstitutional; and if it had been constitutional, since no hearing was given in fact, the plaintiff was denied due process of law. Either of these grounds is sufficient to sustain the result reached.

CRIMINAL LAW—BIGAMY—VOIDABLE MARRIAGE.—In a prosecution for bigamy the defendant claimed that the first marriage alleged was void because a former wife was living at the time it was contracted. The defendant admitted that his former wife had absented herself for more than five years prior to the first alleged marriage, and that he did not then know she was alive. N. Y. Cons. Laws (1909) c. 14, art. 2, § 7, provides that "a marriage is void from the time its nullity is declared by a court . . . if either party thereto . . . has a husband or wife by a former marriage living, and such . . . has absented himself or herself for five successive years then last past without being known to such party to be living during that time." Held, the jury was justified in declaring the first marriage alleged in the indictment voidable within the statute, and that, being voidable, such marriage would support a conviction for bigamy. *People v. Dunbar* (App. Div. 4th Dept. 1920) 184 N. Y. Supp. 465.

Where a marriage is void because a first husband or wife is living, this void marriage cannot support a prosecution for bigamy upon a subsequent marriage. *People v. Corbett* (1900) 49 App. Div. 514, 63 N. Y. Supp. 460; see *People v. Crawford* (1891) 62 Hun 160, 163, 16 N. Y. Supp. 575, aff'd 133 N. Y. 535, 30 N. E. 1148. Under the New York statute, if there was not an honest and reasonable belief that the first spouse was dead, the second marriage is void. *Gall v. Gall* (1889) 114 N. Y. 109, 21 N. E. 106; see *Circus v. Independent Order Ahawas* (1900) 55 App. Div. 534, 536, 67 N. Y. Supp. 342. But a second marriage contracted in good faith is binding until annulled by judicial decree. *Griffin v. Banks* (N. Y. 1862) 24 How. Pr. 213; see *Price v. Price* (1891) 124 N. Y. 589, 598, 27 N. E. 383; *Stokes v. Stokes* (1910) 198 N. Y. 301, 305, 91 N. E. 793. Until a second marriage is so annulled, the original marriage is held in abeyance. See *Griffin v. Banks*, *supra*, 215; *Gall v. Gall*, *supra*, 120; *Stokes v. Stokes*, *supra*, 305. Otherwise the law would be sanctioning polygamy. Consequently, in the instant case, the husband could not have justified renewed cohabitation with his first wife by setting up his original marriage. That a voidable marriage, not set aside by the proper proceedings, will support a prosecution for bigamy is well recognized. *Barber v. People* (1903) 203 Ill. 543, 68 N. E. 93; *State v. Yoder* (1911) 113 Minn. 503, 130 N. W. 10.

HUSBAND AND WIFE—SEPARATION AGREEMENT NO BAR TO AN ACTION FOR ALIENATION OF AFFECTIONS.—The plaintiff and her husband at the time of this action were living apart under a separation agreement whereby she had received a lump sum in lieu of her claims against her husband. Held, the subsequent separation is no bar to an action by the wife for the alienation of the husband's affections. *Annarina v. Boland* (Md. 1920) 111 Atl. 84.